

JUL 18 2005

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JOHN F. CONROGAN, CLERK
BY:  DEPUTY CLERK

BETTY G. MYERS,

Plaintiff

v.

JO ANNE B. BARNHART
Commissioner of Social Security,

Defendant

) CASE NO. 3:02CV00093

)

) REPORT AND RECOMMENDATION

) By: B. Waugh Crigler
U. S. Magistrate Judge

)

The Commissioner having advised the court that she has not objection to an award of attorney fees to C. Cooper Geraty, Esq. under the Social Security Act (Act), 206(b), 42 U.S.C. § 406(b), it is, hereby

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, Charles Cooper Geraty, the sum of Seventeen Thousand Thirty-Three and 25/100 Dollars (\$17,033.25) in counsel fees under the EAJA, 28 U.S.C. § 2412 et seq.

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the

undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:


Judge

7/18/05
Date